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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BUCKEYE TREE LODGE AND SEQUOIA  
VILLAGE INN, LLC, a California limited  
liability company, 2020 O STREET  
CORPORATION, INC, D/B/A THE MANSION  
ON O STREET, PROSPECT HISTORIC  
HOTEL, and SHILOH MORNING INN, LLC, a  
Oklahoma limited liability company,  
individually and on behalf of themselves and all  
others similarly situated,

Plaintiffs,

vs.

EXPEDIA, INC., a Washington corporation;  
HOTELS.COM, L.P., a Texas limited  
partnership; HOTELS.COM GP, LLC, a Texas  
limited liability company; ORBITZ, LLC, a  
Delaware limited liability company,

Defendants.

Case No. 3:16-cv-04721-VC

**CLASS ACTION**

**DECLARATION OF DAVID PFAU IN SUPPORT  
OF PLAINTIFFS' UNOPPOSED MOTION FOR  
APPROVAL OF CLASS ACTION  
SETTLEMENT, ATTORNEY'S FEES AND  
COSTS, AND INCENTIVE AWARDS**

Date: March 25, 2021  
Time: 2:00 p.m.  
Courtroom: 4, 17th Floor  
Judge: Hon. Vince Chhabria

1 I, David Pfau, declare as follows:

2 1. I am the owner of Plaintiff Shiloh Morning Inn. I make this declaration in support of  
3 Plaintiffs' Unopposed Motion for Approval of Class Action Settlement. If called as a witness, I would  
4 and could testify to the following:

5 2. Shiloh Morning Inn is located in Southern Oklahoma. I run the Inn, which features five  
6 guestrooms and four cottages on 73 acres of land.

7 3. As a Class Representative, I have been very involved in my case against Expedia since I  
8 became a plaintiff in 2018. I assisted Class Counsel's investigation by discussing my experiences with  
9 Expedia's false advertisements about the Inn's availability, as well as my perception and understanding  
10 of the effect of those advertisements on my business and my customers.

11 4. Since I became involved with this action, I regularly spoke with my counsel to stay  
12 informed of the status of my case and to discuss the next steps.

13 5. I worked with Class Counsel on my discovery requests. I looked for documents and  
14 provided them to Class Counsel.

15 6. I met with Class Counsel to prepare for my deposition, which I attended on September 26,  
16 2018. I faced questioning about the Inn's availability, my experiences with Expedia and similar websites,  
17 and the false unavailability messages about my Inn that appeared on Expedia's websites.

18 7. I communicated with Class Counsel regarding settlement throughout the litigation and in  
19 connection with the two mediations and the settlement conference. I have always had the best interests of  
20 the Class in mind when considering whether to resolve this action. Since I knew it was important to  
21 fulfill my obligation to Class Members, I evaluated the benefits of the settlement—the injunction that  
22 will stop Expedia from making false statements about Class Members' availability—to make sure the  
23 settlement was fair to the Class Members I represent.

24 8. I reviewed and submitted declarations in support of class certification and in support of  
25 settlement approval.

26 9. I have devoted substantial time to litigate this action to seek a change in Expedia's  
27 advertising practices. I believe that my dedication and effort have conferred a significant benefit on other  
28 Class Members and on consumers.



1 I declare under penalty of perjury under the law of the State of California that the foregoing is  
2 true and correct. Executed on February 24, 2021 in Ardmore, Oklahoma.

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6 David Pfau  
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